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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/580,018	05/26/2000	Dale B. Schenk	15270-004760US	9973
20350	7590	04/19/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			NICHOLS, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			1647	
DATE MAILED: 04/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/580,018 26 May 2000 SCHENK 15270-0047600

EXAMINER

NICHOLS

ART UNIT	PAPER
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1647 0

DATE MAILED:

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Commissioner for Patents

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/580,018	SCHENK ET AL.	
	Examiner	Art Unit	
	Christopher J Nichols, Ph.D.	1647	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 27 February 2004 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

see attached re: petition to correct inventorship

Art Unit: 1647

DETAILED ACTION

Status of Amendments

1. The Amendment After Allowance under 37 C.F.R. 1.312 filed 27 February 2004 has been received and entered in full. No patentability issues have been raised.

Status of Inventorship

2. Receipt is acknowledged of the request that Frederique Bard and Theodore Yednock be deleted as named inventors pursuant to the Petition under 37 C.F.R. 1.48(b) filed on 27 February 2004. The inventorship has been corrected as requested. No patentability issues have been raised.

Allowable Subject Matter

3. Claims 1, 6-8, 11-16, 19-25, 27-32, 35-37, 40, 41, 44, 69-71, 76 stand allowed pursuant to the Notice of Allowability mailed on 3 December 2003.

Art Unit: 1647

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Christopher James Nichols, Ph.D.** whose telephone number is **(571) 272-0889**. The examiner can normally be reached on Monday through Friday, 8:00 AM to 6:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gary Kunz, Ph.D.** can be reached on **(571) 272-0887**.

The fax number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see **<http://pair-direct.uspto.gov>**. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Elizabeth C. Kemmerer

CJN
April 15, 2004

ELIZABETH KEMMERER
PRIMARY EXAMINER